

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Solheim Farms, Inc.,

Civil No. 06-438 (PAM/RLE)

Plaintiff,

v.

ORDER

CNH America, LLC, f/k/a
Case, LLC, a foreign corporation,

Defendant.

This matter is before the Court on Defendant's Motion to Strike Plaintiff's Motion to Amend or Alter the February 28, 2007 Order, which granted Defendant summary judgment in this action. Plaintiff has withdrawn its Motion. Accordingly, **IT IS HEREBY ORDERED** that Defendant's Motion to Strike (Docket No. 62) is **DENIED as moot.**¹

Dated: April 5, 2007

s/ Paul A. Magnuson _____
Paul A. Magnuson
United States District Court Judge

¹ Defendant requested that the Court award it attorneys' fees incurred in preparing the Motion to Strike. The Court finds that an award of fees is unwarranted and therefore denies the request. See D. Minn. LR 1.3 (providing discretion to the Court to sanction a party for failure to comply with local rules when it is necessary "to protect the parties and the interests of justice.").